

# CITY OF NEWPORT

## DOCKET OF THE COUNCIL

*The following items of business, filed with the City Clerk under the rules of the Council, will come before the Council at its regular meeting to be held on January 13, 2010, at 6:30 p.m.*

### PLEDGE OF ALLEGIANCE TO THE FLAG

#### **CITIZEN'S FORUM:** (Speakers must sign in with the City Clerk)

The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes.** Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
  - a. Minutes of the December 18, 2009, special council meeting; and July 8 and December 9, 2009, regular council meetings. (Approve)
  - b. Special Event Licenses:
    - 1) Friends of Ballard Park, d/b/a 5<sup>th</sup> Annual Illuminated Garden; Ballard Park Quarry Meadow, February 19 and 20, 2010, from 6:00 p.m. to 9:00 p.m.
    - 2) Newport Yacht Club Endowment Fund (NYCEF), d/b/a NYCEF Lasagna Dinner/Fundraiser; Newport Yacht Club, 110 Long Wharf, February 27, 2010, from 6:00 p.m. to 9:00 p.m.
  - c. Arcade License, Ryan Family Amusements, Inc. (formerly O'Brien Music Co.), d/b/a Ryan Family Amusements, 268 Thames St.
  - d. Catering License, Renewal, Blue Rocks Catering, LLC, d/b/a Blue Rocks Catering, 7 Carroll Ave.

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all applications and communications, can be viewed on the City of Newport website: [www.cityofnewport.com](http://www.cityofnewport.com) – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meeting can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting is also available at the Newport Public Library within 48 hrs. of the meeting.

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- e. Catering License, Renewal, Ocean Side Catering, Inc., d/b/a Ocean Side Catering & Café, 66 Broadway.
- f. Comprehensive Annual Financial Report of the City of Newport, RI, for the Year Ended June 30, 2009. (Receive) (This report may be viewed on the City's website—Finance Department—FY2009 CAFR)
- g. Report on an Actuarial Valuation of the Police Pension System Prepared as of July 1, 2009. (Receive)
- h. Report on an Actuarial Valuation of the Fire Pension System Prepared as of July 1, 2009.
- i. RI Dept. of Environmental Management Notice: Application of the City of Newport for a Water Quality Certification to repair the Poplar St. Driftway boat ramp. (Receive)
- j. CRMC Public Notice, re: Application of the City of Newport for an Assent for repairs and improvements to the existing north and west embankment of "South Easton Pond" (Easton Pond) consisting of work on the embankment slopes and moat channel bank. (Referred to Planning Board and Waterfront Commission; hearing to be scheduled by CRMC) (Receive)
- k. CRMC notices of intent to change management plans, policies, procedures and regulations (Receive)
- l. Annual Reports: (Receive)
  - 1) Canvassing Authority
  - 2) Cliff Walk Commission
- m. Claims: (Receive and refer to City Solicitor)
  - 1) Jesse P. Friedman
  - 2) Amy Mitchell
  - 3) Samantha A. Zira

## **LICENSES AND PERMITS**

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2. Second-hand License, New, Hamish Gunn & Susan Mitchell, d/b/a The Finer Consigner 2, at 677 Thames St. (Hearing)
3. Victualing License, New, Ocean Side Catering, Inc., d/b/a Ocean Side Catering & Café, 66 Broadway.
4. Victualing License Expansion, J.H. Enterprises, Inc., d/b/a Rhino Bar & Grille, 337 Thames St., to a 1200 sq. ft. patio on the north side of the building.

### **COMMUNICATIONS AND PETITIONS**

5. Communication from Paige R. Bronk, Director of Planning, Zoning, Development & Inspections, re: 119 Spring Street Progress Report.
6. Communication from Anne Ramsey Cuvelier, re: “The Newport Bed and Breakfast Survival Petitions.”
7. Communication from David Addison, 222 Main Road, Tiverton, RI, re: ban on fishing in local ponds.

### 8. **BOARDS AND COMMISSIONS**

Vacancies currently or soon will exist on the following boards and commissions: Affirmative Action Commission, Beach Commission, Building Code Board of Appeals, Historic District Commission, Juvenile Hearing Board, Personnel Appeals Board, Planning Board, Board of Tax Appeals, Tree and Open Space Commission, Redevelopment Agency, and the Zoning Board of Review. Interested residents can obtain applications on the City’s web page or by contacting the Mayor’s Office.

### **RESOLUTIONS**

9. 2010 Regular Council Meetings
10. Navy Hospital Site – K. Leonard (Continued from December 9, 2009)
11. Requesting Reestablishment of RIPTA Bus Service to and from the Humphrey J. Donnelly III Transportation & Visitors Center (Gateway) and Easton’s

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Beach and the Cliff Walk – C. Duncan, J. McLaughlin, J. Napolitano, S. Coyne, K. Leonard

12. Requesting Creation of a Consolidated Calendar of Events on the City Website – J. McLaughlin, J. Napolitano, C. Duncan, S. Waluk, S. Coyne, K. Leonard

### **ORDINANCES**

13. Amending Chapter 17.80 of the Codified Ordinances, entitled “Historic District Commission,” Section 17.80.040, Paragraph B, “Membership and Appointment,” and Paragraph C, “Conduct of Business.” (Second Reading)
14. Amending Chapter 10.12.090 of the Codified Ordinances, entitled, “Temporary Rules—Variances to Suit Special Conditions” – to provide for the closure of Hazard Road from December 1 through March 31, annually, and on other days when conditions warrant its closure. (First Reading)

### **COMMUNICATIONS FROM THE CITY MANAGER**

15. Communication #4609 /09, re: Harbor Management Plan Amendment (with accompanying resolution; continued from December 9, 2009)
16. Communication #4621/10, re: RI Emergency Efficiency and Conservation Block Grant Program (with accompanying resolution)
17. Communication #4622/10, re: Bid Award for Manual Defibrillator (with accompanying resolution)
18. Communication #4623/10, re: Bid Award for Water Division Dump Truck (with accompanying resolution)
19. Communication #4624/10, re: Service Agreement – “GetCrashReports.com (with accompanying resolution)
20. Communication #4625/10, re: Amendment #3 to Contract #08-028 Professional Services for Water Treatment Plant Improvements (with accompanying resolution)

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21. Communication #4626/10, re: Leases for Cell Phone Equipment Pad at the 2M Gallon Lawton Valley Water Storage Tank Communication – MetroPCS (with accompanying resolution)
22. Communication #4627/10, re: Lease Agreement for Cell Phone Antennae and Equipment Pad at the Reservoir Road Water Storage Tank – MetroPCS (with accompanying resolution)
23. Communication #4628/10, re: Lease Agreement for Cell Phone Antennae at the Reservoir Road Water Storage Tank—Cox TMI Wireless LLC (with accompanying resolution)
24. Memorandum to the Council, re: Harbor Dredging

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS.

**BOARD OF LICENSE COMMISSIONERS**

**LICENSES AND PERMITS**

1. Application of Spring Street Spirits, Ltd., d/b/a Spring Street Spirits, 137 Spring Street, to transfer its Class A alcoholic beverage license to Slippery Slope Spirits, LLC, d/b/a Spring Street Spirits, for the same premises.  
(Hearing)  
Bills of Indebtedness:
  - 1) Horizon Beverage ..... \$1,792.81
  - 2) RI Distribution Co. .... \$3,381.36
2. Application of J.H. Enterprises, Inc., d/b/a Rhino Bar & Grille, to expand its Class BT alcoholic beverage license to a 1200 sq. ft. patio area on the north side of the building, with service from 11:30 a.m. to 9:30 p.m. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

January 6, 2010